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EXTRAORDINARY

PART II—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY

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MINISTRY OF FOOD AND AGRICULTURE

(Department of Food)

ORDER

New Delhi, the 9th April 1959

G.S.R. 432.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order, namely:—

1. Short Title, Extent and Commencement.—(1) This Order may be called the Rajasthan Foodgrains (Restrictions on Border Movement) Order, 1959.

(2) It extends to the whole of the State of Rajasthan.

(3) It shall come into force at once.

2. Definitions.—In this Order, unless the context otherwise requires,—

(a) “external border area” means the area within the ten-mile belt all along the border of the State of Rajasthan adjoining the territory of West Pakistan;

(b) “internal border area” means the area within the five-mile belt all along the border of the State of Rajasthan adjoining the States of Punjab, Uttar Pradesh, Madhya Pradesh and Bombay;

(c) “foodgrains” means any of the foodgrains specified in the Schedule to this Order;

(d) “State Government” means the Government of the State of Rajasthan;

(e) “wheat” includes its products other than wheat bran, bread, biscuits, cakes and pastries.

(3) Restrictions on the movement of wheat to, from or within the internal border area.—No person shall transport, attempt to transport or abet the transport of wheat—

(a) to any place in the internal border area from any place outside that area, or

(b) from any place in the internal border area to any place outside that area, or

(c) from any place in the internal border area to any other place in that area,

except under and in accordance with a permit issued by the State Government or any officer authorized by that Government in this behalf.

4. Restrictions on the movement of wheat or other foodgrains to, from or within the external border area.—No person shall transport, attempt to transport or abet the transport of wheat or other foodgrains—

(a) to any place in the external border area from any place outside that area, or

- (b) from any place in the external border area to any place outside that area, or
- (c) from any place in the external border area to any other place in that area,

except under and in accordance with a permit issued by the State Government or any officer authorized by that Government in this behalf.

5. **Saving.**—Nothing contained in clause 3 or clause 4 shall apply to the transport of wheat or other foodgrains, as the case may be—

- (i) on Government account; or
- (ii) under and in accordance with Military Credit Notes; or
- (iii) within the same town or village in the internal or external border area, or
- (iv) from a village in the internal or external border area to the nearest grain market (mandi) in the State of Rajasthan whether such market (mandi) is within or outside such area; or
- (v) not exceeding 20 seers in weight in the aggregate at one time by a *bona fide* resident of any of the said border areas for domestic consumption; or
- (vi) not exceeding 5 seers in weight in the aggregate by a *bona fide* traveller as part of his luggage.

6. **Powers of entry, search, seizure, etc.**—(1) Any Police Officer not below the rank of Assistant Sub-Inspector or any other person authorized in this behalf by the State Government may, with a view to securing compliance with this Order or to satisfying himself that this Order has been complied with,—

- (i) stop and search or authorize any person to stop and search any person, boat, motor or any vehicle or receptacle used or intended to be used for the transport of wheat or other foodgrains;
- (ii) enter and search and authorize any person to enter and search any place;
- (iii) seize or authorize the seizure of wheat or any other foodgrains in respect of which he suspects that any provision of this Order has been, is being or is about to be contravened, along with the packages, coverings or receptacles in which such wheat or foodgrains are found or the animals, vehicles, vessels, boats or conveyances used in carrying such wheat or foodgrains and thereafter take or authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels, boats or conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure, 1898, relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

7. **Effect of the Order.**—The provisions of this Order are in addition to and not in derogation of (i) the Inter-Zonal Wheat Movement Control Order, 1957 and (ii) the Rajasthan Gram (Prohibition of Export) Order, 1958.

THE SCHEDULE

1. Rice and Paddy and their products excluding rice bran and husk.
2. Maize and its products.
3. Jowar and its products.
4. Bajra and its products.
5. Gram and its products.
6. Barley and its products.

[No. 204(RAJ)1/287/59-PY-II.]

B. P. BAGCHI, Jt. Secy.